

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)

The Development of Operational,)
Technical and Spectrum Requirements)
For Meeting Federal, State and Local)
Public Safety Agency Communication)
Requirements Through the Year 2010)

WT Docket No. 96-86

Establishment of Rules and Requirements)
For Priority Access Service)

ORDER

Adopted: December 23, 1998

Released: December 24, 1998

By the Acting Chief, Public Safety & Private Wireless Division:

1. On August 6, 1998, the Commission adopted the *First Report and Order (First Report)* and *Third Notice of Proposed Rulemaking (Third Notice)* in the above-captioned proceeding.¹ Comments on the *Third Notice* are due on or before January 4, 1999, and Reply Comments are due on or before February 1, 1999. On December 4, 1998, the Commission received a *Motion for Extension of Time for Filing Comments in Response to Third Notice of Proposed Rulemaking* filed by the National Public Safety Telecommunications Council (NPSTC).

2. NPSTC requests that the Commission grant a 30 day extension of time for filing comments to the *Third Notice*. It states that an additional 30 days would afford interested parties adequate time to prepare full and complete comments in order that the Commission may develop as complete a record as possible. NPSTC indicates that, in addition to preparing comments in response to the *Third Notice*, many organizations will also be required at the same time to prepare responses to the petitions for reconsideration or clarification that were filed in response to the *First Report*.² NPSTC notes that a substantial number of petitions for reconsideration or clarification were filed in this proceeding on or before December 2, 1998.³ In addition, NPSTC points out that the comment date falls immediately after an extended holiday period making it difficult for NPSTC and others to complete timely comments.

¹ The Development of Operational, Technical and Spectrum Requirements For Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010. *Third Notice of Proposed Rulemaking*, 63 FR 58685 (rel. November 2, 1998).

² Oppositions to a petition for reconsideration must be filed within 15 days after the date of public notice of the petition's filing. Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired. See 47 C.F.R. § 1.429(f) and (g).

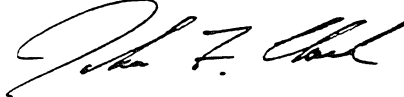
³ The Commission has received over 15 petitions for reconsideration or clarification in response to the *First Report*.

3. It is the policy of the Commission that extensions of time are not routinely granted.⁴ Upon review, however, we agree that an extension would afford parties the necessary time to coordinate and file substantive comments for the record. We believe, however, that 30 days would delay this proceeding longer than necessary. A 15 day extension of time, until January 19, 1999, within which to file comments for the *Third Notice* should be sufficient. This extension should provide an adequate opportunity for all parties to prepare and file responsive and complete comments in this proceeding.

4. Accordingly, **IT IS HEREBY ORDERED** that the *Motion for Extension of Time for Filing Comments in Response to Third Notice of Proposed Rulemaking* filed by NPSTC on December 2, 1998, **IS HEREBY GRANTED IN PART AND DENIED IN PART**. Parties shall file comments to the *Third Notice* no later than January 19, 1999. Reply comments are due 30 days later on February 18, 1999.

5. This action is taken pursuant to the authority provided in Section 1.46 of the Commission's Rules.⁵

FEDERAL COMMUNICATIONS COMMISSION



John F. Clark
Acting Chief, Public Safety & Private Wireless Division

⁴ 47 C.F.R. § 1.46(b).

⁵ 47 C.F.R. § 1.46.